

of engagement, that force will do nothing to confront Serb aggression.

Mr. President, it would be an exaggeration to suggest that the situation in Bosnia is at a diplomatic standstill. It is moving backward. It appears that the closest the Western Powers can get to a negotiated solution is to reward the Serbian dictator who started this entire war by easing the sanctions against his country. Even this effort—which is an embarrassment to the United States—has fallen short.

So in recognition of this failure, and as chairman of the Senate Foreign Relations Committee, I declare that it is time for us to take a step which should have happened 3 years ago. We must approve this legislation to lift the arms embargo against the Bosnians and allow those people to defend themselves.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, I will repeat my earlier unanimous consent request. I understand that we need to start this whole routine over again. I am going to have two unanimous-consent requests.

First, I ask unanimous consent that the pending bill, S. 343, be temporarily laid aside and the Foreign Relations Committee be discharged from further consideration of S. 21, and the Senate turn to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, I further ask that the Senate resume S. 343 after the disposition of S. 21, as amended, if amended, and no call for the regular order serve to displace S. 21, except one made by the majority leader, after notification of the minority leader—and he can be assured that he would get proper notification on that—and if a call for the regular order is made, there be 1 hour for debate, to be equally divided in the usual form, to be followed by the third cloture vote on the Dole-Johnston substitute, and the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER (Mr. SANTORUM). Is there objection?

Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I do not want to confuse the matter any more, so I waited until after the unanimous consent request was proffered.

Let me make sure my colleagues are clear as to what the circumstances are now. I have had the opportunity to consult with the distinguished Senator from Wisconsin. It is my intention to protect his right to offer a sense-of-the-Senate resolution either before cloture or after cloture, if a cloture motion is required; or if no cloture motion is required, we will negotiate with the majority to ensure that the distinguished Senator from Wisconsin has an opportunity to raise the issue that he hopes to address through this sense-of-the-Senate resolution. I appreciate his cooperation in this regard, and as a result, we are now able to go forward.

I think this is a good solution to the matter, and I appreciate everyone's consideration and cooperation.

Mr. LOTT. Mr. President, I want to reiterate, in view of the unanimous consent agreement that we did reach, that was the last issue of the day in terms of recorded votes. There will be no recorded votes until tomorrow when an agreement is reached on when the next vote will be scheduled. There will be no further recorded votes tonight.

I yield the floor.

#### BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 21) to terminate the United States arms embargo applicable to the government of Bosnia and Herzegovina.

The Senate proceeded to consider the bill.

Mr. FEINGOLD. Mr. President, let me take this opportunity to thank the Senator from Mississippi and the Democratic leader for their help on resolving the issue.

I did not want to offer the sense-of-the-Senate resolution during the core of the debate on the substance of the bill. I do think it is relevant to this bill. I want to thank them for their cooperation.

Mr. LOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I should like to take this occasion to speak strongly in favor of S. 21, the majority leader's resolution on Bosnia.

Mr. President, we have now, for more than 3 years, watched—and I use that word advisedly “watched”—the ongoing tragedy of Bosnia. The aggressions, the rapes, the cold-blooded murders, the ethnic cleansing, which has accompanied the dismemberment of a nation, recognized as a nation, and a member of the United Nations.

We have an administration which has constantly threatened action, and every bit as constantly walked away from that action when its bluff was called.

We have a U.N. protective force which has protected no one but the aggressors. A force dispatched to Bosnia to provide some kind of safety for the victims of aggression has shown itself unable to do so time after time and place after place. Whether around Sarajevo, whether in the isolated areas of refuge, whether in the northwest part of the country—its fate has been the same.

Its fate has either been to protect the Bosnian Serb aggressors against any kind of military action on the part of the United Nations, no matter how modest and ineffective by its very presence and by the ease with which the Bosnian Serbs can take the U.N. personnel as hostage; or alternatively, as was the case just 10 days ago, as an entity which disarmed the defenders of these enclaves and then provided absolutely no defense or support for essentially unarmed victims who now, themselves, are the latest example of the victims of the Serbs' ethnic cleansing.

Mr. President, the former President of the United States, George Bush, was wrong in enforcing an arms embargo against the Bosnians. President Clinton has repeated that and has been wrong to enforce that arms embargo against the Bosnians.

As recently as lunch time today, the caucuses of both parties listened to the same tired presentation from the Secretary of State, and in this case from the Chairman of the Joint Chiefs of Staff, that we have heard for this entire 3 years. That somehow or another to do something, change our policy, to allow those who wish to defend themselves to do so, would lead to some even worse disaster, the taking of more hostages among the U.N. forces, to more deaths and ethnic displacement on the part of the Bosnians.

Yet, the use of this excuse, Mr. President, has resulted in 3 years of violence and displacement and ethnic cleansing and an end to the belief of the United Nations to act effectively in connection with a catastrophe of this sort, and undercutting of the ability of NATO, and most significantly, a lack of belief in the United States of America.

Mr. President, it is simply time to end that bankrupt policy. The proposal that the majority leader has brought to the Senate ends the embargo on one of two conditions: a decision by the United Nations or by the countries supplying troops to the United Nations in Bosnia to withdraw; or a request from the legal Government of Bosnia that the United States lift the arms embargo and a notification to the U.N. Security Council that it has requested that those forces leave.

Mr. President, that is putting the ultimate fate of the Republic of Bosnia squarely in the hands of its own elected

Government, which is exactly where it should be. There is a very real possibility that if the troops of that Government can obtain arms even remotely equivalent to those possessed by the aggressors, that they can defend their independence and recover some of the country wrongfully lost to them. And it is way past time, way past time that we allow that decision to be made by the people who have been the victims of this aggression for 3 long years.

The U.N. protective force is not protecting anyone, including itself. It should be gone. Our arms embargo punishes no one except for the victims of aggression. It is simply time that it be brought to a close. The partial and midlevel threats that are being made by this administration will risk the loss of American lives but will not, under any circumstances, change the situation on the ground. What could be more clear, Mr. President, than the proposition that we should not risk the lives of our own men and women in uniform unless their goal is important to the United States and has some definite and worthy policy to be defended?

Nothing that we have heard from the administration about its plans meets those simple tests. If we are willing to do nothing to end this aggression ourselves, we at least should no longer be complicit to its continued success. We should be willing to allow the victims to defend themselves. We should end the arms embargo. We should encourage the present forces from the United Nations to leave. We should arm the Bosnians. And I am convinced, under those circumstances, their chances of regaining the semblance of a country and reaching a peace through some kind of strength will be greatly enhanced.

There is no perfect solution to this catastrophe. But the solution of allowing the victims to defend themselves, to fight for their own freedom, is the least bad of all the solutions before us. And I am profoundly convinced it is the only moral answer to this question.

I yield the floor.

The PRESIDING OFFICER (Mr. SANTORUM). The majority leader.

Mr. DOLE. Mr. President, I thank the Senator from Washington for his statement and for his support.

Mr. President, I am pleased to be joined by the distinguished Senator from Connecticut, Senator LIEBERMAN, and a long list of bipartisan cosponsors as we again try to lift the illegal and unjust arms embargo on Bosnia and Herzegovina. The legislation we are bringing up today is a modified version of the bill we introduced in January of this year. S. 21 is the number. This bill lifts the United States arms embargo after the withdrawal of United Nations troops from Bosnia and Herzegovina.

Before we start to discuss this legislation I want to make clear: This debate is not just about Bosnia. This is not just about a small European country under attack. This debate is about American leadership and American

principles, about NATO strength and credibility, about our place in history.

It was just about a year ago that the Senate last voted to lift the arms embargo on Bosnia. That vote was 58-42. However, in conference a compromise was worked out by the distinguished Senator from Georgia, Senator NUNN, and the administration's representative Chuck Redman. It urged the President to introduce a resolution to lift the arms embargo in the U.N. Security Council if the Bosnian Serbs did not sign the July 1994 contact group plan by October 15. The compromise language also provided that if the Serbs did not sign the plan by November 15, the United States would cease enforcing the arms embargo. Finally, the compromise urged that in the event of Bosnian Serb attacks on U.N. safe areas, the President introduce and support a resolution in the Security Council to provide the Bosnians with defensive weapons to defend these areas.

Now it is a year later. The Bosnian Serbs have still not signed the July 1994 contact group peace plan; the administration has still not taken up a resolution in the U.N. Security Council to lift the arms embargo; and the Bosnian Serbs are about to run over another U.N. safe haven—the second in 2 weeks.

Mr. President, the administration argued last year that lifting the arms embargo would lead to the fall of the three safe havens in the east. The first of these three enclaves has fallen under U.N. watch—with NATO planes overhead. Today NATO planes are buzzing above Zepa, which is about to fall.

Mr. President, all this has occurred in the absence of lifting the arms embargo. Indeed, it has occurred because the arms embargo is preventing the only people willing to fight to defend the Bosnian people from being able to do so—and that is the Bosnians themselves; not the U.N. forces, but the Bosnian Government Forces—Moslems, Croats, and Serbs are willing to die to defend their families, their homes, and their multi-ethnic country.

Last year the administration also made the argument that lifting the arms embargo immediately would endanger allied forces. In this modified Dole-Lieberman legislation we are not lifting the United States embargo until after those countries contributing to UNPROFOR who want to leave, have left.

The administration has also claimed that lifting the embargo would Americanize the war. This is the most difficult argument to understand. The Clinton administration has pledged 25,000 American troops for Bosnia if there is peace. The Clinton administration has pledged 25,000 American troops for Bosnia if there is withdrawal. And the Clinton administration is considering escalating the American involvement for transport and close air support of UNPROFOR forces. Let us not forget, and American Air Force pilot, Scott O'Grady, was recently shot down.

In light of such commitments, it is hard to take administration arguments over Americanization seriously. As the Prime Minister of Bosnia said, lifting the arms embargo will not Americanize the war, it will Bosnianize the war—by putting the future of Bosnia back in Bosnian hands, where it should have been for the last couple of years or more.

A more recent concern raised by some is that the withdrawal may take more than 12 weeks. In that regard, this legislation includes a renewable Presidential waiver providing for an additional 30 days should additional time be necessary for the safety and successful completion of the withdrawal operation.

As I mentioned earlier, each time the Senate has taken up this legislation we have been told by the administration that this is not the right time. We have waited. The Bosnians have waited—and they have died.

The bottom line is that the approach pursued by the administration, like that of the Bush administration, is a total failure. The question is whether or not we will continue to contribute U.S. dollars, prestige, and credibility to this catastrophe or change course.

Mr. President, there are no perfect options. There are no easy answers. We now know what has not worked—relying on the U.N. forces to protect the Bosnians. It seems to me that we owe it to the Bosnians and our own American principles of justice and fairness to let the Bosnians defend themselves, and I believe the American people understand this and will support it.

Let me make it clear, as I attempted to do earlier today, we are not talking about more American involvement. We are not talking about American ground troops. We are talking about lifting the arms embargo—maybe helping to train Bosnians, maybe helping to supply weapons, but that could be done in safe areas. And if they secure Russian weapons, which they are already familiar with, there will be very little training necessary.

Also keep in mind that in many cases the Bosnians surrendered the only heavy weapons they had because they were going to be in safe havens. As I suggested, one of the safe havens has been overrun, and another about to be overrun, and the third, Gorazde, is in peril.

I also want to make it clear, because I think there is always a tendency for some to say: Oh, this is politics, this is BOB DOLE, Republican, because we have a Democratic President, the record will reflect that during the Bush administration I think the same two Senators raised this question. We were critical of the Bush administration. I remember talking to Ambassador Zimmerman time after time. I remember calling him and discussing it with him when he was in Yugoslavia, because we were told then that if we did not do something—and I am not talking again about military force; I am talking

about sending a word of caution to Mr. Milosevic, the leader of the Serbs, the President of Serbia—this is precisely what would happen.

So this is not a Dole resolution. This is not a Lieberman resolution. This is an action by the Senate, Republicans and Democrats, such as the two of us, Mr. HELMS, Mr. THURMOND, Mr. BIDEN, Mr. D'AMATO, Mr. MCCAIN, Mr. FEINGOLD, Mr. WARNER, Mr. HATCH, Mr. KYL, Mr. MOYNIHAN, Mr. STEVENS, Mr. COCHRAN, Mrs. HUTCHISON, Mr. MACK, Mr. COVERDELL, Mr. PACKWOOD, Mr. MURKOWSKI, Mr. SPECTER, and others, so there is strong, broad bipartisan support.

It is not a conservative matter. It is not a liberal matter. It is a moral issue of whether we will again in this century witness ethnic cleansing, genocide, call it what you will, and do nothing. In this case, all we need to do, as we were reminded again by the Bosnian Foreign Minister today, is to lift the arms embargo. As he said, "We are willing to die for our country." They are not asking us to do that, not asking anybody else to do that. And I know the British do not want to lift the arms embargo. I know President Chirac, the new French President, has other ideas. The British and French cannot seem to get together.

I know the Secretary of State told the Democrat policy luncheon today this is not the time, timing is terrible. Well, that is always the case. It is never the time. It seems to me just the opposite. This is a perfect time. It would seem to me the administration would want us to pass this resolution. It has to go to conference, has to be worked out. It is going to take quite a while—10 days, 30 days, who knows—before it comes back and before it becomes law. And then the President could tell the French and the British that the options are fewer and fewer as far as America is concerned and our involvement is concerned.

So I really hope that we can complete action on this resolution tomorrow. I know the White House will want to try to dissuade some from voting for the resolution. That is certainly a right they have. But I would also suggest this is precisely the very same action the President advocated when he first came to the White House—even before he came to the White House—lift the arms embargo. He also was supporting air strikes.

So it is not that we have figured out some way to be on the other side of President Clinton and have brought this issue to the floor to embarrass the President. We are precisely where the President was before he was elected President, as a candidate, and where he was after he was elected. And I recall a meeting in the White House in the spring of 1993 where Democrats and Republicans came together and we talked about lifting the arms embargo and air strikes.

That has been a long, long time. I do not know how many thousands of peo-

ple have suffered, how many thousands have died, how many murdered and raped, how many children have gone without food because we did nothing. And then we said, well, this is a European problem; let the Europeans handle it. And then we had the U.N. Protection Forces.

Again, I commend the courage and bravery of every one of those young men, and maybe women in some cases, from all the different countries who are there as U.N. Protection Forces. They are there with good intent. Unfortunately, their good intent has turned into in effect being a buffer for the Serbs. Now the U.N. Protection Forces have found they cannot protect themselves, and they cannot protect the people in the safe havens, and they cannot protect the refugees. In fact, if you watched television the other night, they had a barbed wire entanglement separating the U.N. forces from the refugees so they would not come together.

It seems to me that it is pretty clear. My own view is the British do not want to be humiliated by withdrawing. I have talked to John Major in his office. He is very persuasive. Somehow he believes if we just continue to stay there, this is going to end. And with a new French President, he is being a bit more aggressive. He thinks they ought to do something. So now he wants us to become involved with helicopter gunships and other ways we transport French and other U.N. Protection Forces into the area.

In my view, that would be a mistake, but that may be debated. There may be an amendment to do that before we complete action on the bill.

Finally, it just seems to me it is the right thing to do. It was a year ago. It was before that. The House passed this—not the same legislation—by a vote of 318 to 99, over 3 to 1. I hope we have at least 70 votes or more in the Senate; bipartisan votes, nonpartisan, whatever you like.

I believe we have made progress because we have been cautious. We have respected the timing, and we have delayed from time to time to see if they could not complete negotiation, they could not reach some agreement. But I believe now is the time for us to proceed and to send a signal to the Serbs and, yes, to the British, to the French, but more particularly the Bosnians, that somebody in America, in this case the Senate and the House of Representatives, understands their concerns, and we are willing to support their request that an independent nation, a member of the United Nations, has the right of self-defense as spelled out in article 51 of the U.N. Charter.

That is all this is about. It is not complicated. You can raise all the horror stories. You can give us all the scenarios that might happen. We were told by the foreign minister today there will be no effort by the Moslems to stop the U.N. Protection Forces from leaving. We were also told that there are only 30 U.N. personnel in Serb oc-

cupied areas, so it should not take 25,000 American troops to help extricate members of the U.N. Protection Forces.

So as we begin the debate, I again commend my colleagues. I hope that the distinguished Senator from Rhode Island, who I know maybe supports us in his heart, would find it in his heart to support us all the way because he is a very important Member of this body, and I know he feels, as some, maybe he has some reservations, but this is, as he certainly knows, not a partisan effort on behalf of the majority leader in this instance.

AMENDMENT NO. 1801

Mr. DOLE. Mr. President, I send the amendment to the desk in the nature of a substitute.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE], for himself, Mr. HELMS, Mr. THURMOND, Mr. BIDEN, Mr. D'AMATO, Mr. MCCAIN, Mr. FEINGOLD, Mr. WARNER, Mr. HATCH, Mr. KYL, Mr. MOYNIHAN, Mr. STEVENS, Mr. COCHRAN, Mrs. HUTCHISON, Mr. MACK, Mr. COVERDELL, Mr. PACKWOOD, Mr. MURKOWSKI, and Mr. SPECTER, proposes an amendment numbered 1801.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bosnia and Herzegovia Self-Defense Act of 1995".

#### SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) For the reasons stated in section 520 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), the Congress has found that continued application of an international arms embargo to the Government of Bosnia and Herzegovina contravenes that Government's inherent right of individual or collective self-defense under Article 51 of the United Nations Charter and therefore is inconsistent with international law.

(2) The United States has not formally sought multilateral support for terminating the arms embargo against Bosnia and Herzegovina through a vote on a United Nations Security Council resolution since the enactment of section 1404 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337).

(3) The United Nations Security Council has not taken measures necessary to maintain international peace and security in Bosnia and Herzegovina since the aggression against that country began in April 1992.

#### SEC. 3. STATEMENT OF SUPPORT.

The Congress supports the efforts of the Government of the Republic of Bosnia and Herzegovina—

(1) to defend its people and the territory of the Republic;

(2) to preserve the sovereignty, independence, and territorial integrity of the Republic; and

(3) to bring about a peaceful, just, fair, viable, and sustainable settlement of the conflict in Bosnia and Herzegovina.

**SEC. 4. TERMINATION OF ARMS EMBARGO.**

(a) **TERMINATION.**—The President shall terminate the United States arms embargo of the Government of Bosnia and Herzegovina, as provided in subsection (b), following—

(1) receipt by the United States Government of a request from the Government of Bosnia and Herzegovina for termination of the United States arms embargo and submission by the Government of Bosnia and Herzegovina, in exercise of its sovereign rights as a nation, of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina; or

(2) a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, to withdraw UNPROFOR from Bosnia and Herzegovina.

(b) **IMPLEMENTATION OF TERMINATION.**—The President may implement termination of the United States arms embargo of the Government of Bosnia and Herzegovina pursuant to subsection (a) prior to the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, but shall, subject to subsection (c), implement termination of the embargo pursuant to that subsection no later than the earlier of—

(1) the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina; or

(2) the date which is 12 weeks after the date of submission by the Government of Bosnia and Herzegovina of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina.

(c) **PRESIDENTIAL WAIVER AUTHORITY.**—If the President determines and reports in advance to Congress that the safety, security, and successful completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina in accordance with subsection (b)(2) requires more time than the period provided for in that subsection, the President may extend the time period available under subsection (b)(2) for implementing termination of the United States arms embargo of the Government of Bosnia and Herzegovina for a period of up to 30 days. The authority in this subsection may be exercised to extend the time period available under subsection (b)(2) for more than one 30-day period.

(d) **PRESIDENTIAL REPORTS.**—Within 7 days of the commencement of the withdrawal of UNPROFOR from Bosnia and Herzegovina, and every 14 days thereafter, the President shall report in writing to the President pro tempore of the Senate and the Speaker of the House of Representatives on the status and estimated date of completion of the withdrawal operation. If any such report includes an estimated date of completion of the withdrawal which is later than 12 weeks after commencement of the withdrawal operation, the report shall include the operational reasons which prevent the completion of the withdrawal within 12 weeks of commencement.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be interpreted as authorization for deployment of United States forces in the territory of Bosnia and Herzegovina for any purpose, including training, support, or delivery of military equipment.

(f) **DEFINITIONS.**—As used in this section—

(1) the term "United States arms embargo of the Government of Bosnia and Herzegovina" means the application to the Government of Bosnia and Herzegovina of—

(A) the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 FR 33322) under the heading "Suspension of Munitions Export Licenses to Yugoslavia"; and

(B) any similar policy being applied by the United States Government as of the date of completion of withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, pursuant to which approval is denied for transfers of defense articles and defense services to the former Yugoslavia; and

(2) the term "completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina" means the departure from the territory of Bosnia and Herzegovina of substantially all personnel participating in UNPROFOR and substantially all other personnel assisting in their withdrawal, within a reasonable period of time, without regard to whether the withdrawal was initiated pursuant to a request by the Government of Bosnia and Herzegovina, a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, but the term does not include such personnel as may remain in Bosnia and Herzegovina pursuant to an agreement between the Government of Bosnia and Herzegovina and the government of any country providing such personnel.

**PRIVILEGE OF THE FLOOR**

Mr. DOLE. Mr. President, I also ask unanimous consent that a legislative fellow in my office, Mr. Ronald A. Marks, be allowed on the Senate floor for the duration of the Senate action on S. 21, the Bosnia and Herzegovina Self-Defense Act of 1995.

The PRESIDING OFFICER. Without objection, it is so ordered.

I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I thank the majority leader for his kind words.

Mr. President, once again, the Senate is debating legislation to lift the arms embargo against Bosnia-Herzegovina. Since the Senate first took up this issue in January 1994, I have voted against every attempt to force the United States to lift the embargo unilaterally. I must say that I now find this would be an extremely difficult vote to cast.

The fall of a U.N. protected safe haven—and the impending fall of a second—is a dreadful human tragedy. The terrible images of tens of thousands of Moslem refugees fleeing Serb aggression make us want to find a quick and easy solution to the crisis, but I am afraid there are no easy answers. A Senate vote to lift the arms embargo unilaterally may seem cost-free, but I believe there are serious downsides that could actually make the situation worse.

The legislation before us says that the lifting of the embargo shall occur after UNPROFOR personnel have withdrawn or 12 weeks after the Bosnian Government asks U.N. troops to leave, whichever comes first. We should be honest about what we are debating here. This bill, if passed, will actually trigger a U.N. withdrawal from Bosnia. I would remind my colleagues that the United States has committed to helping our allies withdraw from Bosnia as part of a NATO effort. So, in essence, by passing this bill, we are precipitating the commitment of up to 25,000 United States troops to Bosnia to help with that withdrawal.

It is indeed time for our President, along with our U.N. and NATO allies to consider the future of the United Nations in Bosnia. They know that if the United Nations were to pull out altogether, many areas of Bosnia which are now stable and well supplied due to the U.N. presence would likely face a humanitarian disaster. This is particularly true in central Bosnia where the U.N. presence has fostered a peaceful federation between the Bosnian Croats and Moslems, who until February 1994, had been engaged in a fierce war. The President and our NATO allies must balance that potential catastrophe against the current tragedy which has led many to call for a complete U.N. pullout.

As we speak, the administration and our allies are grappling with that difficult issue. General Shalikashvili met with his counterparts in London regarding this matter this past weekend; British Foreign Secretary Malcolm Rifkind is in Washington today to discuss this issue; and later this week, Secretary Christopher and Secretary Perry will travel to London for negotiations with their European counterparts.

Clearly, I would have hoped we would wait to know the results of these important meetings and await our President's recommendation on the future of UNPROFOR and the role of the United States before embarking on this debate. I believe that Europe bears the brunt of the burden for dealing with the Bosnia crisis. Indeed the Europeans acknowledge this fact and are contributing the bulk of the troops to the U.N. effort. We have no troops on the ground, and that is as it should be. The U.S. Senate, therefore should not take unilateral action that would actually precipitate a U.N. withdrawal. In the end, a decision may have to be made to withdraw U.N. troops, but I do not believe the Senate should make that decision.

I would add that the Bosnian Government, if it wished, could ask the United Nations to leave at any time. But it has not done so. Yet this bill would put the U.S. Senate on record as endorsing, indeed hastening a withdrawal.

A unilateral lifting of the arms embargo after U.N. troops are withdrawn will inevitably be perceived as the beginning of a United States decision to go it alone in Bosnia. It is naive to think we can unilaterally lift the arms embargo, and then walk away. We instead would assume responsibility for Bosnia not only in terms of our moral obligation, but in practical terms as well. If we lift the embargo, who will supply the weapons? How will weapons be delivered? Who will train the Bosnians in using the weapons? The proponents of this bill will argue that it places no obligations on the United States, but everyone knows the Bosnian Government will look to us.

Lifting the embargo without international support would increase American responsibility for the outcome of the conflict. Delivering weapons to Bosnia would likely require sending in United States personnel. Granted, this legislation states that nothing should be construed as authorizing the deployment of United States forces to Bosnia-Herzegovina for any purpose. But I want to emphasize that this would be a U.S. decision to dismantle the embargo. I do not see how we can lift the embargo on our own without sending in the personnel and without providing the wherewithal to carry out the policy.

A unilateral lifting of the embargo—be it now or after U.N. troops are withdrawn—would put the United States in the position of abrogating a U.N. Security Council resolution, and in essence, breaking international law. The embargo is in place as a result of a binding U.N. Security Council resolution and can only be abrogated by a subsequent U.N. Security Council action. A unilateral lifting of the arms embargo would set a dangerous precedent. Other countries could choose to ignore Security Council resolutions that we consider important—such as the embargo against Iraq and sanctions against Libya and Serbia.

In April, the Washington Post reported that Iran was engaging in embargo-busting by supplying plane loads of weapons and military supplies to Bosnian Government forces. If the United States were to lift the embargo unilaterally, we would join Iran in embargo busting. I would ask my colleagues: Do you want to be in that company? Is Iran a responsible player in the international community?

The answer, of course, is no. If the United States were to break the embargo on its own, we would destroy our credibility as a trustworthy leader in international affairs. A unilateral lifting of the arms embargo would undoubtedly strain our relations with our NATO allies and undermine our standing in other international negotiations completely unrelated to the Bosnian tragedy.

After U.N. troops are safely withdrawn, lifting the embargo multilaterally may indeed be the best course of action. If and when UNPROFOR does withdraw, I believe we should make sure we know where our allies stand on lifting the embargo. Whether or not to lift the embargo should be a multilateral decision. We should not go it alone.

I acknowledge that I see merit in some of the arguments of the amendment's proponents. This is a difficult problem that cuts across partisan lines and that slices to the heart of issues related to U.S. influence and power abroad. We all want to do something in response to the terrible pictures of the old people being wheeled out of eastern Bosnia in wheelbarrows or the frightful sight of the 20-year-old Bosnian hanging from a tree. I am just not con-

vinced, however that voting for this bill will alleviate that suffering. Indeed, I am afraid that we might make matters worse.

We are, as public servants, called upon to exercise our best judgment on this very difficult issue and this is what I intend to do.

I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the chair.

Mr. President, first I would like to request unanimous consent that Frederick S. Baron, a Pearson Fellow in my office, be permitted floor privileges for the duration of the debate on S. 21?

The PRESIDING OFFICER. Without objection, so ordered.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I am honored to join with the distinguished majority leader, the Senator from Kansas [Mr. DOLE], and many others in both parties in introducing this substitute, S. 21.

I do want to indicate at the outset, though, this has been a frustrating path that we have walked together. It has been an honor to walk it with Senator DOLE and to say that this is a path we have walked together in the interest of a strong policy in Bosnia and a fair policy, which is to say one that will arm the Bosnians who have been deprived of their right of self-defense by international action, in which we have participated. This effort, together with Senator DOLE and others, has been done, as he said a few moments ago, on a totally bipartisan, which is to say, nonpartisan, basis, which is the way in which American foreign policy has been at its finest hours.

I specifically point out that Senator DOLE and I began this effort during the previous Republican administration of President Bush, expressing our frustration and opposition to the failure of leadership and the continued imposition of the arms embargo.

Mr. President, we have been here before. By my calculation, we have been here at least seven times before. Each time, excuses are given why this is the wrong time to lift the arms embargo against the Bosnian Government. Explanations are given about what the consequences might be, let alone why the whole idea of lifting the embargo is wrong.

We have continued to believe that the heart of any equitable policy in the former Yugoslavia is to allow both sides to be able to defend themselves. History divided the former Yugoslavia in such a way that only one side, namely, Serbia and its clients, its agents in Croatia and in Bosnia, were left with the warmaking capacity of the former Yugoslavia. Bosnia was left with nothing.

This denial of this fundamental right of self-defense, which each of us can feel in a personal sense, certainly, as we watch the horrors, the atrocities

that have gone on once again in Bosnia in the last couple of weeks and see families divided—mothers separated from children, husbands from wives, see women taken off without explanation with God knows what being done to them, men being herded away, young men, men of military age being herded away. These are the human horrific results of this policy.

People have argued against the idea of raising the arms embargo each time we have brought it to this floor, arguing more against it than for an alternative policy. Today we come back, as Senator DOLE has said, not saying that this is the perfect policy, not saying that any policy in a complicated situation is perfect or guaranteed to succeed, but saying with clarity that the current policy has been a terrible failure, has brought suffering and pain and death to the people of Bosnia. But more than that, it has victimized, along with the people of Bosnia, the world's best hopes for order and morality—the United States, NATO, and the United Nations, each suffering significant, deep damage to our credibility, to our status, to our legitimacy in the world.

When the voices and institutions and nations of strength and authority fail to act or act with ambivalence in a way that sends a message of weakness and outlaws continue to be aggressors, then the results are obvious, and you do not have to be a Ph.D. in diplomacy to understand this. If outlaws are marauding in a city in our country and forces of law do not stop them, they will keep marauding until they reach each one of us. And that, in essence, I fear, is what has happened over the last 3 years of inaction by the world communities in Bosnia.

Mr. President, I have a point of view which I feel very strongly about what Bosnia was before this conflict and what has brought us to this point. I have spoken of it before on this floor, and I will just speak to it briefly today.

There are those who like to dismiss or diminish the conflict in the former Yugoslavia and, in some sense, thereby to wash our hands of any responsibility, remove us from any involvement on the basis of this allegation: "These people have been fighting for centuries." There is a hint here that these people are somehow slightly less than human. "They continue to fight; why should we get involved?"

There are two realities. One is that civilizations, cultural and religious, have met in the Balkans. That is the history over the centuries, and there have been conflicts. But the reality is that, in Bosnia particularly, a strong and healthy multiethnic culture and nationality developed.

Somebody said to me, in Sarajevo before this terrible war, it was thought to be offensive for one person to ask another in Sarajevo what their ethnic origin was: Are you a Moslem? Are you a Serb? Are you a Croat? No, they were

Bosnians. This was a great, flourishing multiethnic culture.

Second, there is a clear course that I see as I look at the history of this region over the last 6 or 7 years, and that is of an intentional, concerted effort through aggression by Serbians operating out of Belgrade under the leadership of Slobodan Milosevic to create a greater Serbia.

Since 1988, beginning with the takeover of the political machinery in Montenegro and Vojvodina, the illegal suppression of the legal Government of Kosova, which has a large Albanian majority, suppressed, continuing to be victims of harassment and abuse and worse. That occurred in 1989.

Then the mobilization of nationalist feelings in Serbian public polls;

The slow-moving constitutional coup against the Federal Presidency;

The Serbian economic blockade against Croatia and Slovenia in late 1990;

The theft by Serbia that year of billions of dinars from the Federal budget, destroying the Federal economic reform program;

And then the incitement and arming by Serbia out of Belgrade of Serb minorities in Croatia and Bosnia during 1990 and 1991.

That is how we got to where we are. This is no accident. This is no continuation of centuries and centuries of constant fighting. This is a decision made in Belgrade by a leader and a group around him to incite nationalism, to destroy the multicultural, multiethnic society in Bosnia and to take advantage of the instability that existed after the cold war to create a greater Serbia.

What about the embargo that we are debating? Where did that come from? Mr. President, this is not, as some may think, an act of international law. It is an act of policy created and adopted by the Security Council of the United Nations.

The resolution introduced creating an arms embargo, No. 713, was considered by the Security Council at Belgrade's request. Why? Well, I believe it is obvious. Because the forces in Belgrade knew that they had the monopoly and the warmaking capacity, the arms factories, and the weapons that had already been constructed of the former Yugoslavia. Applying an arms embargo put their enemies, the targets of their aggression, at a profound disadvantage.

So at Belgrade's request, in September 1991, the United Nations Security Council adopted this arms embargo, later to be carried out by the member nations, including our own—in this case, by an Executive order issued by President Bush. The world satisfied itself that this was a means to limit the conflict in the former Yugoslavia by stopping the flow of arms. What innocence. What naivete.

In April 1992, Bosnia was recognized as a new state, independent and separate from Yugoslavia. And on May 22,

1992, it was admitted as a member state to the United Nations. Yet, still the embargo that had been applied on the former Yugoslavia, despite the glaring conflict between this application and Bosnia's right of self defense under international law, was applied to Bosnia. That is how we got on the road to where we are now.

In 1992, international television crews gained access to what I could only describe as concentration camps that were being operated by the Serbs, where they were herding Moslems into the camps. We witnessed the emaciated bodies, and we saw evidence of this incredible phrase—"ethnic cleansing." There were 200,000 killed in this war. A couple of million refugees. The world rolls up in horror at the sight of these figures in the concentration camps and the stories of systematic rape—rape as an instrument of war. Serbs were coming into towns not only clearing them out of the Moslems, but grabbing women and raping them, and taking men off to the camps, or slaughtering them on sight.

The world cried out for a response. The Western nations were not prepared to really stand up to the aggression. So what did we do? We sent in the United Nations—which was not good, ultimately, for the people of Bosnia, not good for the United Nations—presumably to perform a humanitarian role. But little by little, that mission crept, to enforce the denied flight zone, enforce and protect the safe havens, sending these brave soldiers wearing the blue helmets of the United Nations in to keep a peace that never was, and putting them into combat positions without the weapons with which to defend themselves.

I heard the other day—and I have not had a chance to check this, but I believe it—that more soldiers wearing U.N. uniforms have been killed in Bosnia than in the gulf war. They are heroes. We sent them effectively on a mission impossible. Several times, confronting the failure of this policy, the increasing way in which the U.N. troops began to be not only an excuse for Western inaction in the face of Serbian aggression, but began to be a cover for Serbian aggression within Bosnia. Every time we would come here in the early years in this effort to lift the embargo, people would say: You cannot do it. If we lift the embargo, the Serbs will seize the U.N. personnel as hostages.

Well, we have not lifted the embargo, and the Serbs have seized U.N. personnel as hostages, and the killing of the Moslems in Bosnia continues.

Mr. President, when we came to the floor January 27, 1994, we passed a sense-of-the-Senate resolution calling on the President to terminate the arms embargo. That measure passed 87 to 9. It was only a sense of the Senate. But the Senate spoke. The world sat idly by, the arms embargo was not lifted, and the people of Bosnia continued to be—using that dreadfully sanitized

term—ethnically cleansed, which is to say ripped from their homes, raped, and murdered.

In May 1994, the Senate again considered, and this time passed, two measures. One was a measure that I cosponsored with Senator DOLE, requiring the United States to unilaterally terminate the arms embargo upon the request of the Bosnian Government. That passed 50 to 49. On that day—I suppose in a way that only the Senate of the United States could do—we also passed an amendment offered by Senator NUNN and the previous majority leader, Senator MITCHELL, requiring the President to solicit a multilateral lift of the embargo and to consult with Congress if that did not occur. Again, the Senate spoke. The world sat idly by, the arms embargo was not lifted, and the people of Bosnia were ethnically cleansed, ripped from their homes, raped, and murdered.

Again, in July and August 1994, the Senate addressed the issue of lifting the arms embargo, voted and passed measures calling for its termination. This time the votes rose. The last of these votes was 58 to 42, passing an amendment offered by Senator DOLE and myself to the defense appropriations bill, which called for the lifting of the embargo no later than November 15, 1994. On each of those occasions, the Senate spoke. The world sat idly by, the arms embargo was not lifted, and the people of Bosnia were ethnically cleansed, ripped from their homes, raped, and murdered.

Here we are. It is July 1995. One of the other arguments that was made to us in these many debates I have just described is that if we lifted the arms embargo, the Serbs would seize the safe havens, particularly in the east of Bosnia. Well, we have not lifted the arms embargo and, as we know, the Serbs have seized the safe havens—at a dreadful human cost for the Bosnians.

Srebrenica has fallen. Zepa is under siege now. Failure of our policy could not be clearer. It is time, finally, to act. Again, as in 1992 when the concentration camps were discovered, the world is aroused by these painful sights of human suffering from Bosnia. This is the moment for us, finally, to act—to act against aggression, against immorality, to give the people of this country—the victims—the weapons with which to defend themselves.

Mr. President, the Bosnians have been the greatest victims of the current policy that the West has followed for the last 3½ years, a policy of irresoluteness, at best, a policy of weakness, at worst.

But the Bosnians are not the only victims. We have suffered, as well. When aggression is met by ambivalence, and aggression is met by no response—which has been the case throughout the war in Bosnia—ultimately, we are all going to suffer. We saw it happen just a short while ago directly to America, when Captain O'Grady's F-16 was shot down.



I have gone over this event in some detail with the folks at the Pentagon just to make clear that I understood exactly what happened. Here is what I have learned. We know that the Serbs in Bosnia were able to pick up the F-16 flying over Bosnia on an integrated radar air defense system that has installations in Bosnia, controlled by the Bosnian Serbs, but goes back to Belgrade and Serbia, as well. But what is most infuriating about this is that it is clear to those who are in a position to know that when the Serbian air defense system sighted Captain O'Grady's F-16, they knew it was an American F-16. This may not be known to those who are not involved, and Members of the Chamber, and those who may be watching this debate, but this is a sophisticated air defense system which can look at this plane and determine that it is an American F-16. And not just that. It was able to determine—the Serbs on the ground—that this F-16 was not flying an aggressive flight mission. It was not out to drop weapons, bombs, on Serbian targets, as has happened all too infrequently in this conflict. But that this plane was on a non-aggressive patrol mission, part of Operation Deny Flight, to keep Serb planes on the ground, not in the air.

Seeing it was an American plane, knowing it was on a nonaggressive mission, the Bosnian Serbs intentionally shot it down. It is only by the grace of God and by the depth of his own extraordinary courage that Captain O'Grady is alive today.

Understand the outrageous arrogance, the disrespect for law, the disrespect for the greatest power in the world, the United States, that they showed. These Bosnian Serbs shot down our plane.

What have they paid for that aggression? Nothing. What does that invite? It invites them to attack and overrun a safe haven. Meanwhile Bosnian Army weapons are being held in a U.N. compound. U.N. Dutch soldiers—courageous, effectively unarmed—light arms is all they had. Then the Serbs followed with atrocities against the civilian population.

So we have suffered. We have suffered in the United States. We will continue to suffer, as will the rule of law and the rule of morality, if we stand by and allow this aggression of the Serbs to go unresponded to. Mr. President, that is what this S. 21 proposal is all about.

In 1992, President Clinton supported a policy of lifting the arms embargo and striking from the air. In 1993, Secretary Christopher, in the spring of that year, May I believe, went to Europe to advocate this policy. Apparently, our allies and Britain and France argued against it. That was the end of it.

I honestly believe if we implemented that policy at that point and employed NATO air power, which we could have done against the Serbs with minimal risk to NATO and American personnel, this war would have been over and

there would have been a reasonable peace that both sides could have accepted. That is history. It has not happened.

But now, though the hour is late in Bosnia and the situation ever more difficult and complicated, there is no opportunity to get the warring parties to the peace table, unless the Serbs pay some price for their aggression.

It seems to me that our last hope here, our last best hope, is to lift the arms embargo, give the Bosnians the weapons with which to defend themselves, their families, their country, and use NATO air power to strike at Serbian targets. I would not rule anything out.

Let the Serbs worry about where and when we will strike. In Bosnia against Serbian targets or in Serbia, which continues to arm, equip, and actually send Serbian regular soldiers into Bosnia alongside the Bosnian Serbs.

There is strong evidence that in the fall of Srebrenica there were special forces from the Serbian Army, the so-called Serbian Army fighting side by side with the Bosnian Serbs.

This is our last best hope, not just for the people of Bosnia who paid a terrible price, but for the rule of law and order in Europe and throughout the world.

It is the last best hope for NATO to show that in a situation that is complicated and yet where aggression is clear, it will act outside the context of the Soviet-American cold war conflict; that there is still meaning to NATO in this great alliance.

It is the last best hope for the United Nations to restore some measure of credibility to itself as an instrument of hope to victims of aggression and oppression throughout the world.

Mr. President, there will be an extended debate tomorrow, I am sure, on this amendment. I hope and pray that what we will have is the resounding bipartisan majority, the overwhelming majority that Senator DOLE referred to earlier.

Of itself, this is an event that occurs here on the floor of the Senate, far removed from the suffering on the ground in Bosnia, unable effectively to immediately, even it is passed overwhelmingly, bring assistance to the Bosnians, but it will bring them hope.

More than that, I hope that it will combine with what is happening on the ground, which is to say the failure of the U.N. mission, to either lead to a more aggressive use of air power by NATO, as Secretary Perry has spoken of, hopefully, encouragingly to me, in the last 3 or 4 days. If not, then the withdrawal of the U.N. forces, the arming of the Bosnians, and the continued use of NATO air power.

Mr. President, I thank the Chair for his patience. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRIST). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, when we see a photograph of a young woman who has hanged herself in a forest in Bosnia, because she prefers death to the kind of violations which the Bosnian Serbs are inflicting on young women like herself who are Bosnian Moslems; and where we see confirmed reports where the Bosnian Serbs walk into safe havens and root out 11-year-old children who are males, and slit their throats and pile them in heaps; and when we see documents filed by the International Criminal Tribunal for the former Yugoslavia where the indictments read—horrifying prose—about torture and sexual mutilation, in which a prisoner is forced to “bite off the prisoner's testicle,” resulting in his death; as horrible as these events are to recite, they are minuscule compared to the horror of what is going on in Bosnia today, and the acts of savagery, brutality, and atrocities being committed by the Bosnian Serbs on the Bosnian Moslems.

The words “ethnic cleansing” hardly begin to describe what is going on in that atrocious situation.

Meanwhile, the democracies of the world, the West, have permitted this atrocious situation to continue. I believe that the time has long passed when there has to be a change in United States policy on how we deal with Bosnia. The time has long passed when there has to be a change in NATO policy on how we deal with Bosnia. And the time has long passed when there has to be a change in U.N. policy, on how we deal with Bosnia.

I believe that the resolution offered tonight is a minimal step forward to try to implement a new policy which is urgently required. It is a minimal step to lift the arms embargo, to let the Bosnian Moslems defend themselves, as they have every right to do under article 51 of the U.N. Charter.

Action by the Senate, by the Congress, by the Government of the United States—depending upon what happens here in the House, the President's reaction, the veto, a possible override or perhaps the impetus of a strong statement by the U.S. Senate—will cause a marked change in U.S. policy and what has to be U.S. leadership. There has been a vacuum in U.S. leadership and I think that is conceded on all sides. It is not a political matter. Republicans were critical of President Bush for the arms embargo. The Senator from Connecticut, Senator LIEBERMAN, has been critical of the President, of his own party. Senator KERREY, of Nebraska, who is vice chairman of the Senate Intelligence Committee, a committee which I chair, has been critical of his own President and is quoted, “The President's leadership has been awful. He campaigned criticizing President George Bush for not doing enough and

implied that we were going to take the side of the Bosnian Moslems."

I ask unanimous consent that this newsclip be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. So we are not talking about a matter that is political. The reality is that our President is inexperienced and inattentive and indecisive and ineffective. It is time that leadership came from the United States Senate, as this body had to start the leadership to get the United States forces out of Somalia when we passed a resolution cutting off the funds, as we have the authority to do under our appropriations power.

I submit that leadership by the U.S. Senate may well have the effect of profoundly changing, not only U.S. policy but NATO policy and U.N. policy as well. U.N. peacekeepers have had a "Mission Impossible" in Bosnia, because there is no peace to keep. I submit the U.N. peacekeepers ought to be withdrawn. That is indispensable before the arms embargo is lifted, so that the UN peacekeepers are out of harm's way.

That would then put us in a position to have an option of massive bombing. There are arguments both ways, as to whether the bombing would be sufficient. There is a substantial basis for saying if the bombing were sufficiently intense and if the Bosnian Moslems were armed, that a balance of power could be restored there. We subjected Baghdad to relentless bombing during the gulf war, for months in advance of the invasion.

A question is raised as to whether there ought to be consideration to retaliating against the cities of the Bosnian Serbs. I am not prepared to answer that question. That issue has been raised, as to whether the doctrine of proportionality makes any sense when the only reaction to the attacks of the Bosnian Serbs is a proportional counterattack. That leaves them to call the shots at every turn, because, under the doctrine of proportionality, which has been adopted by the United Nations, the Bosnian Serbs are not at risk. And there is a real question as to whether that policy ought to be abandoned.

Then you have the dual key issue, where every decision has to be approved by the United Nations and NATO. There is very strong reason to believe that the decisions ought not to be made by the United Nations from their record up to the present time. You have the courageous leadership of the French President, Chirac, who says he is prepared to act and he is prepared to take some forceful steps. He asks for support from the United States, with helicopters, for some air cover. I am not sure whether that is a wise course, but that is a request which ought to be considered.

I am opposed to United States participation in a ground war in Bosnia. I

do not think we should lend U.S. troops to any such effort. But in terms of air strikes, which are not entirely without risk as we know—one pilot, Captain O'Grady, was downed there—helicopters may or may not be committed. There are also risks involved. But it is something which ought to be considered.

I believe, Mr. President, if we have forceful leadership coming from the United States—and when I say "Mr. President," those who may be watching on C-SPAN2 should know that is our formal way of addressing the Presiding Officer of this body, not the President of the United States—but, if the Senate takes a forceful stand, that could have an impact on leading President Clinton to change his position and it may well be with leadership which comes out of the U.S. Senate that we will change the policy of President Clinton and together we can change the policy of NATO. We can change the policy of the United Nations. We can change the policy of France and Britain, if we undertake what French President Chirac has wanted to accomplish.

Mr. President, when we see the genocide and the atrocities that are going on in Bosnia, we really wonder about America's response in another era. I recall vividly my father recounting his experiences as an American doughboy in the American Expeditionary Force in France in World War I. My father came to this country from Russia to escape the czar's heel. He was not willing to go to Siberia to fight for the czar. But he was ready, willing, able, and really anxious to go to France to fight for America, as he put it, as I remember hearing him talk about it growing up, "to make the world safe for democracy." I know my brother and brother-in-law served in World War II against the scourge of the Nazis and the Japanese after the attack on Pearl Harbor. And I served stateside during the Korean war.

We have a different attitude today, Mr. President, in the United States, as to the extent we are willing to stand up for honor and for values and to stop the kind of atrocities which are going on in Bosnia. But I do believe that the entire policy of the Clinton administration needs reevaluation from top to bottom, and the resolution which is pending right now, to lift the arms embargo, is a step in the right direction. I hope that this will start a debate in the United States Senate so that we can consider the very serious questions which are in issue here, and we can consider the values of the United States, which we so proudly proclaim, and consider acting upon those values and supporting them when we see the kind of atrocities which are going on in Bosnia. And we know the values articulated by the NATO alliance, and we know the values articulated by the United Nations. And it is time we put some action behind those words.

The first step on the action is a step to unilaterally lift the arms embargo.

If we move ahead with consultation—and it will take some time—and there is a real question as to whether there would be sufficient votes to pass the resolution and a greater question as to whether there would be sufficient votes to override a Presidential veto, perhaps we will find that we can change the policy of the United Nations and that we will end up acting in concert with France, Great Britain, and the other NATO powers.

But there is a very important issue, Mr. President, which we cannot duck any longer. I am glad to see the resolution offered because I think it is time we took a look at what is going on in Bosnia and look in the mirror to see how we feel about the kinds of values we articulate and the kinds of actions we are prepared to back up.

It is a matter which cries out for leadership. But it is a very difficult matter because of the obvious reluctance and reticence of anyone to see ground troops deployed in Bosnia or to see any casualties inflicted on American fighting men and women. But these are issues which need to be considered. And the American people need to know what is going on there so there can be a public reaction to the kinds of atrocities which are going on—where young women are hanging themselves rather than to be subjected to the atrocities of the Bosnian Serbs and lads taken out in great numbers and having their throats slit apparently so that they will not grow into another generation to pose some theoretical problem for the Serbs; to have the ethnic cleansing, and to have an entire genocide of an entire people.

So I support the pending resolution.

#### EXHIBIT 1

#### KERREY CRITICIZES THE PRESIDENT

(By David C. Beeder)

WASHINGTON.—Sen. Bob Kerrey, D-Neb., accused President Clinton Tuesday of a lack of leadership in Bosnia's civil war.

"The president's leadership has been awful," Kerrey said in an interview. "He campaigned criticizing (President George) Bush for not doing enough and implied we were going to take the side of the Bosnian Muslims." Since then, Kerrey said, Clinton has been "sending a message that's pretty strong that the cavalry is coming up over the hill."

In a press conference later, Kerrey said Senate Majority Leader Bob Dole, R-Kan., "is closer to being right" with his plan to disregard a U.N. arms embargo that has handicapped the Bosnian government.

Kerrey said he could support such a plan if it required other countries' approval and if it first called for withdrawal of all U.N. peacekeepers.

At the same time, Kerrey said, the United States must be "careful not to respond emotionally to scenes of violence and atrocities" against one side or the other in the civil war, saying the conflict did not consist of "a single issue where the Muslims are right and the Serbs are wrong."

Kerrey's fellow Nebraska senator, Democrat J.J. Exon, urged caution in responding to events in Bosnia.



"With all the atrocities that are taking place over there, there is a tendency to come unglued," he said.

Exon said he was concerned about a request that the United States send helicopters into combat zones to deliver U.N. reinforcement troops.

"The more people they put in there the more difficult it will be to extricate them," Exon said, noting that Clinton has pledged to send U.S. ground troops to help if the U.N. decides it must withdraw from Bosnia.

Exon said he has always opposed sending U.S. ground troops.

## MORNING BUSINESS

### REPORT ON THE NATIONAL EMERGENCY WITH SERBIA AND MONTENEGRO—MESSAGE FROM THE PRESIDENT—PM 67

THE PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

*To the Congress of the United States:*

On May 30, 1992, in Executive Order No. 12808, the President declared a national emergency to deal with the threat to the national security, foreign policy, and economy of the United States arising from actions and policies of the Governments of Serbia and Montenegro, acting under the name of the Socialist Federal Republic of Yugoslavia or the Federal Republic of Yugoslavia, in their involvement in and support for groups attempting to seize territory in Croatia and the Republic of Bosnia and Herzegovina by force and violence utilizing, in part, the forces of the so-called Yugoslav National Army (57 FR 23299, June 2, 1992). I expanded the national emergency in Executive Order No. 12934 of October 25, 1994, to address the actions and policies of the Bosnian Serb forces and the authorities in the territory of the Republic of Bosnia and Herzegovina that they control. The present report is submitted pursuant to 50 U.S.C. 1641(c) and 1703(c). It discusses Administration actions and expenses directly related to the exercise of powers and authorities conferred by the declaration of a national emergency in Executive Order No. 12808 and Executive Order No. 12934 and to expanded sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) (the "FRY (S/M)") and the Bosnian Serbs contained in Executive Order No. 12810 of June 5, 1992 (57 FR 24347, June 9, 1992), Executive Order No. 12831 of January 15, 1993 (58 FR 5253, Jan. 21, 1993), Executive Order No. 12846 of April 25, 1993 (58 FR 25771, April 27, 1993), and Executive Order No. 12934 of October 25, 1994 (59 FR 54117, October 27, 1994).

1. Executive Order No. 12808 blocked all property and interests in property of the Governments of Serbia and Montenegro, or held in the name of the former Government of the Socialist

Federal Republic of Yugoslavia or the Government of the Federal Republic of Yugoslavia, then or thereafter located in the United States or within the possession or control of U.S. persons, including their overseas branches.

Subsequently, Executive Order No. 12810 expanded U.S. actions to implement in the United States the United Nations sanctions against the FRY (S/M) adopted in United Nations Security Council ("UNSC") Resolution 757 of May 30, 1992. In addition to reaffirming the blocking of FRY (S/M) Government property, this order prohibited transactions with respect to the FRY (S/M) involving imports, exports, dealing in FRY-origin property, air and sea transportation, contract performance, funds transfers, activity promoting importation or exportation or dealings in property, and official sports, scientific, technical, or other cultural representation of, or sponsorship by, the FRY (S/M) in the United States.

Executive Order No. 12810 exempted from trade restrictions (1) transshipments through the FRY (S/M), and (2) activities related to the United Nations Protection Force ("UNPROFOR"), the Conference on Yugoslavia, or the European Community Monitor Mission.

On January 15, 1993, President Bush issued Executive Order No. 12831 to implement new sanctions contained in U.N. Security Council Resolution 787 of November 16, 1992. The order revoked the exemption for transshipments through the FRY (S/M) contained in Executive Order No. 12810, prohibited transactions within the United States or by a U.S. person relating to FRY (S/M) vessels and vessels in which a majority or controlling interest is held by a person or entity in, or operating from, the FRY (S/M), and stated that all such vessels shall be considered as vessels of the FRY (S/M), regardless of the flag under which they sail.

On April 25, 1993, I issued Executive Order No. 12846 to implement in the United States the sanctions adopted in UNSC Resolution 820 of April 17, 1993. That resolution called on the Bosnian Serbs to accept the Vance-Owen peace plan for the Republic of Bosnia and Herzegovina and, if they failed to do so by April 26, called on member states to take additional measures to tighten the embargo against the FRY (S/M) and Serbian controlled areas of the Republic of Bosnia and Herzegovina and the United Nations Protected Areas in Croatia. Effective April 26, 1993, the order blocked all property and interests in property of commercial, industrial, or public utility undertakings or entities organized or located in the FRY (S/M), including property and interests in property of entities (whether organized or located) owned or controlled by such undertakings or entities, that are or thereafter come within the possession or control of U.S. persons.

On October 25, 1994, in view of UNSC Resolution 942 of September 23, 1994, I

issued Executive Order No. 12934 in order to take additional steps with respect to the crisis in the former Yugoslavia. (59 FR 54117, October 27, 1994.) Executive Order No. 12934 expands the scope of the national emergency declared in Executive Order No. 12808 to address the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the actions and policies of the Bosnian Serb forces and the authorities in the territory in the Republic of Bosnia and Herzegovina that they control, including their refusal to accept the proposed territorial settlement of the conflict in the Republic of Bosnia and Herzegovina.

The Executive order blocks all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons (including their overseas branches) of: (1) the Bosnian Serb military and paramilitary forces and the authorities in areas of the Republic of Bosnia and Herzegovina under the control of those forces; (2) any entity, including any commercial, industrial, or public utility undertaking, organized or located in those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces; (3) any entity, wherever organized or located, which is owned or controlled directly or indirectly by any person in, or resident in, those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces; and (4) any person acting for or on behalf of any person within the scope of the above definitions.

The Executive order also prohibits the provision or exportation of services to those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, or to any person for the purpose of any business carried on in those areas, either from the United States or by a U.S. person. The order also prohibits the entry of any U.S.-flagged vessel, other than a U.S. naval vessel, into the riverine ports of those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces. Finally, any transaction by any U.S. person that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in the order is prohibited. Executive Order No. 12934 became effective at 11:59 p.m., e.d.t., on October 25, 1994.

2. The declaration of the national emergency on May 30, 1992, was made pursuant to the authority vested in the President by the Constitution and laws of the United States, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and section 301 of title 3 of the United States Code. The emergency